

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
WACO DIVISION**

THE TRUSTEES OF PURDUE UNIVERSITY,

Plaintiff,

vs.

CASE NO. 6:21-CV-00727-ADA

STMICROELECTRONICS INTERNATIONAL N.V.,
AND STMICROELECTRONICS, INC.

Defendants.

ORDER

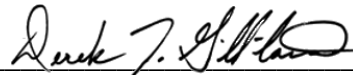
On December 29, 2022, the Court held a hearing on the discovery disputes submitted to the Court via email. Having considered the arguments of counsel, the Court rules as follows:

1. Purdue shall supplement its final infringement contentions by February 28, 2023 as to three to five products that in Purdue's view reasonably represent the universe of accused products.

2. Defendants have satisfied their initial burden of production to challenge Plaintiff's compliance with 35 U.S.C. § 287 under *Arctic Cat Inc. v. Bombardier Recreational Products Inc.*, 876 F.3d 1350 (Fed. Cir. 2017) by identifying specific products that Defendants contend were patented and unmarked. Accordingly, Purdue shall provide a supplemental response to Interrogatory No. 5 (related to marking) by January 12, 2023, based on the facts available to Purdue at that time and without prejudice to further supplementation.

3. By January 6, 2023, the Parties shall provide a proposed new case schedule, and if they cannot agree on a schedule, shall provide a joint filing with each side's proposed schedule.

IT IS SO ORDERED this 6th day of January 2023.



DEREK T. GILLILAND
UNITED STATES MAGISTRATE JUDGE